

**Summary  
Meeting of the California Biodiversity Council  
on Environmental Justice**

**Thursday, February 13, 2003  
Cal/EPA Headquarters, Sacramento**

***Council Members Present:***

Mary D. Nichols, California Resources Agency (Co-Chair)  
Mike Pool, Bureau of Land Management (Co-Chair)  
Daina Apple, US Forest Service  
Doug Balmain, Mariposa County  
Joseph R. Blum, NOAA Fisheries  
Ruth Coleman, Department of Parks and Recreation  
Alexander Glazer, University of California  
Bob Haussler, California Energy Commission  
Winston H. Hickox, California Environmental Protection Agency  
Dale Hoffman-Floerke, Department of Water Resources  
Luana Kiger, USDA Natural Resources Conservation Service  
Ken McDermond, US Fish and Wildlife Service  
Robert Meacher, Regional Council of Rural Counties  
Frank Michny, Bureau of Reclamation  
Larry Myers, Native American Heritage Commission  
Nancy Pfeffer, Southern California Association of Governments  
Richard C. Rodriguez, California Conservation Corps  
Steve Shaffer, Department of Food & Agriculture  
James R. Shevock, National Parks Service  
Michael V. Shulters, US Geological Survey  
David A. Solaro, California State Association of Counties  
Paul Thayer, California State Lands Commission  
Will Travis, San Francisco Bay Conservation and Development Commission  
Andrea Tuttle, Department of Forestry and Fire Protection  
Colonel Anthony J Wendel, US Marine Corps

**Welcome – Winston Hickox**

Mr. Hickox welcomed the Council and expressed his view that environmental justice is a topic that goes far beyond sighting and toxic issues. At Cal/EPA, a full-participation decision-making process is a key to addressing environmental justice concerns.

**Remarks by the California Recreation Roundtable – Keith Demetrak**

Mr. Demetrak provided a brief overview of the Recreation Roundtable, which was formed in 1966. The Roundtable represents over 40 public and private interests who work together to promote recreation research, information exchange, and sustainable recreation uses.

**Council Business**

**Christine Nota, Chair, CBC Executive Committee**

Chris reported on the special meeting of the CBC Executive Committee on January 9, 2003. This meeting was called to discuss ways of adjusting the Council's activities to reflect anticipated budgets in 2003 and beyond. Council co-chairs Mary Nichols and Mike Pool attended this meeting. They committee decided to align budget and meeting planning to conform to the state fiscal year. They also decided to reduce the number of regional meetings from four to two each year, with an option meeting in Sacramento to discuss emerging statewide issues. No changes to the *California*

*Biodiversity News* or other Council programs were identified. The Executive Committee has asked the staff to develop recommendations on ways that Council members might work closer together to be more efficient during lean budget times.

**Madelyn Glickfeld, Assistant Secretary for the California Legacy Project, Resources Agency**  
Madelyn reported that the California Legacy Project is nearing the halfway point. The purpose for the project is to assemble current conservation information for agency and public uses. Five regional workshops have been completed with another five planned for the remainder of this calendar year. A regional conservation atlas is one of the products of this project. The atlas should be available this month on the CLP website at [www.legacy.ca.gov](http://www.legacy.ca.gov).

**Russ Henly/Fraser Shilling for the California Watershed Assessment Manual**  
Russ and Fraser described a new initiative to develop a consistent method for completing local-level watershed assessments. The products will be tools for completing assessments compiled in a watershed assessment manual. The manual will be available in hard copy, CD, and web-based formats.

### **History and Definition of Environmental Justice (Sandra Salazar-Thompson)**

Ms. Salazar-Thompson (Governor's Office of Planning and Research, EJ Program Director) opened her remarks by noting that the work of the CBC is very important to all people in the state. She stressed the need for the Council to link the "three E's" – environment, equity, and economy through its work.

Provided remarks per her Power Point – need to summarize per the text.

Secretary Nichols closed the session by stressing the importance of natural resource agencies working to insure the economic well being of all participating groups as a precursor to effective treatment of environmental justice issues.

### **Community Perspectives**

#### **Mary Ann Greene**

Ms. Greene (Governor's Appointee, Baldwin Hills Conservancy) summarized the work of the Baldwin Hills Conservancy to provide open space opportunities for citizens in an urban area of Los Angeles. She described the Vista Pacifica Project as a case study for addressing environmental justice. The Vista Pacifica Heights is a well-used open area with panoramic views. Developers intended to use this privately owned site for a gated community with high-priced homes. Ms. Greene described how the local community challenged this development. The community first assessed themselves to produce funds needed for the effort. They then hired an eminent attorney and a geologist. The community argued that the site was geologically unstable and could not support large developments. Major opposition from the developers argued for the project on local economic income and services terms. Governor Davis, elected officials, and local conservancies subsequently pooled their efforts to purchase the parcel. Now the Conservancy is working to determine the right balance of active (e.g. soccer) and passive (hiking) recreation.

#### **Torri Estrada**

Mr. Estrada spoke on behalf of the Coalition for Environmental Justice and Water, which formed in 1999 to respond to the CalFED Bay Delta Project. The purpose of this group is to connect local community work in environmental justice with policy makers in natural resource management. Mr. Estrada described "environmental racism" which occurs from institutional neglect or purposeful design. He used sighting of peaking plants during 2002 as an example. Over 80 percent of the proposed sightings in 2002 were in locations where over 50 percent of the population was people of color. He suggested that conventional planning tools and community involvement are ways to improve these kinds of conditions.

Mr. Estrada also described a variety of natural resource issues that relate to environmental justice. Examples are toxic fish consumption, sewage and contaminated water outflow, and distribution and

costs of clean drinking water. He stated that the EJ subcommittee was formed to integrate environmental justice into the CalFED program. A framework for work has been developed and the committee is now beginning implementation. Agency liaisons were stressed as a key to weaving EJ into water management programs at CalFED. Mr. Estrada recognized Felicia Marcus and Mary Nichols for their key support of environmental justice with the CalFED process.

### **Carlos Porras**

Mr. Porras (Executive Director, Communities for a Better Environment) described the difficulties that advocates and agencies experience when they try to discuss and define environmental justice. He explained that a root for the struggles for many Native Americans, Latinos, and others comes from their deep passion for the history of their cultures to western lands.

Next, Mr. Porras described the work of Communities for a Better Environment. He used their Southgate Project, which involved the sighting of a large power plant, as an example of their work. CBE works to help local communities represent themselves in planning projects that could degrade their environment and well-being.

### **Discussion**

- Frank Michny (Bureau of Reclamation) asked Mr. Estrada about the environmental justice effects of water transfers.
  - Mr. Estrada described some of the social impacts of transfers and proposed a more robust and inclusive methodology as a way of insuring adequate treatment of environmental justice during water transfer decisions.
  - Mary Nichols noted that there is little information about the effects of water transfers on communities, but some information will come from the study of effects of transferring Colorado River Water from IAD to San Diego.
  - Mr. Estrada suggested that the public is often excluded from the water management decisions that are made by local irrigation districts because district members are not publicly elected and meetings are not subject to public access regulations that govern other government functions. A related challenge is that many communities lack the capacity to participate and do not have the resources to become engaged.
- Ms. Greene explained that capacity building of communities must help them define and understand their issues, then be capable of effectively influencing desirable conditions.
- Mr. Porras added that the key to meaningful participation with agencies is the spirit that the agencies bring to the table. He further noted that, rather than new regulations, checklists, and other processes it is the attitude about working with communities that is the key.

### **Felicia Marcus – Incorporating Environmental Justice into State and Federal Programs: A personal experience.**

Ms. Marcus described her personal experiences as Region IX Regional Administrator for US Environmental Protection Agency (USEPA). She began by explaining that understanding and implementing programs that address environmental justice is extremely challenging. She offered the following advice to agency leaders. First, accept that environmental justice is a movement that will need to be addressed. Next, learn and get into the action so you can be helpful. Third, be personal, but don't take your criticism personally – “bring yourself to the party – this is work of the mind and the heart”. Fourth, develop a core team of understanding and committed people to develop and oversee an environmental justice program. Fifth, let your workforce know EJ is a priority and your core team is always accessible. Last, remember the EJ movement is about: 1) meaningful participation in matters that are important to people's lives; 2) reordering priorities to account for other values; and 3) people who have historically been treated poorly by government.

## **Agency Perspectives**

### **Nancy Pfeffer**

Ms. Pfeffer (Southern California Association of Governments, SCAG) explained that SCAG learned about environmental justice during the development of their regional transportation plan. SCAG became engaged in environmental justice because it uses federal transportation services that require a focus on environmental justice and accessibility. They entered into an alternative dispute resolution process to avoid conflicts that were experienced elsewhere in the area. Together with state-of-the-art impact analysis of costs and impacts provided a comprehensive assessment of environmental justice implications of transportation planning options. SCAG is now working on the 2004 transportation plan and will carry forward existing assessment techniques and is forming a new EJ advisory council for the project (<http://www.scag.ca.gov/rtp/mainrtp.html>).

### **Greg King**

Mr. King (California Department of Transportation) provided some examples of past transportation impacts and described new efforts to address environmental justice issues. Past impacts include traffic patterns and sound impacts in low-income communities; spoil area location; and priorities for investments for structural improvements. CalTrans now has a policy statement and staff directive to encourage integration of environmental justice and improve conditions. It also has grant and training programs for environmental justice work. The agency is actively engaged in restoring drain water and other road-related impacts to communities.

### **Romel Pascual**

Mr. Pascual (Cal/EPA) acknowledged that significant progress that has been made in the environmental justice movement and thanked Felicia Marcus, Mary Nichols, and Winston Hickox for their important leadership. He stated that the environmental justice movement is really a struggle about equity and fairness. At Cal/EPA a successful EJ program starts with building a strong infrastructure and processes that are inclusive and fair. Mr. Pascual explained that environmental justice is well imbedded in state and federal statute – the challenge is agreeing on the interpretation and implementation. Old participation models should be replaced with those that stress accountability. The environmental justice movement is dynamic, holistic and is not narrowly about sighting and toxics.

### **Sedrick Mitchell (DPR)**

Mr. Mitchell (California Department of Parks and Recreation) first noted that the key to successful integration of environmental justice is helping agency staffs see the value in serving all Californians. The Department of Parks and Recreation is in a two-year process to make environmental justice relevant by developing programs that are based on direct input from those who have been impacted. The goal is to help the agency reevaluate its mission and purpose. By seriously considering the strong criticism from underserved communities, the Department has developed a guidebook to help improve its work in environmental justice. One major effort involves increasing the fraction of the workforce represented by people of color. Mr. Mitchell offered that the future of natural resource agencies is dependent on their ability to connect and be relevant with all Californians.

### **Enrique Manzanilla**

Mr. Manzanilla (US Environmental Protection Agency, Region IX, Cross Media Division) first explained that the environmental justice staff in Region IX has been reorganized to be more effective. Their focus is on community empowerment, capacity building, and funding. Community-based governance is an emerging area of interest and exploration. EPA continues to work with other agencies to foster multi-agency approaches to environmental justice issues.

## **Challenges to the Implementing Environmental Justice – CalFED as a Case Study**

Mary Nichols introduced this session by explaining that environmental justice surfaced during the development of the original program elements for the CalFED project. The Environmental Justice

Subcommittee has now been formed to advise CalFED about environmental justice issues. This session will examine some of the lessons learned from the experiences of CalFED. The lessons learned by CalFED and expressed by the panels today really are expressions of a need to think about new ways of doing business.

Ken McGee, Dan Wermiel, and Martha Guzman discussed the CalFED project. Mr. Wermiel stated that the CalFED ROD calls for the inclusion of environmental justice issues as it is implemented. This will be done by identifying and finding ways to avoid or mitigate significant impacts to communities. The enabling legislation for the Bay Delta Authority restates the commitment to address environmental justice issues. The EJ subcommittee will be the advisory body for this work. Membership on the committee is open to any interest.

Mr. McGhee (EJ Coordinator, CalFED Bay Delta Program) described the work plan for the EJ subcommittee. It meets monthly and is focusing on action items that can be taken to begin to address important EJ issues. Fish consumption will be one of the first issues addressed. Another goal is to get out the CalFED message about environmental justice to the field. Training is a key focus for this year.

Martha Guzman (United Farm Workers) – environmental justice is simply a more equitable way of doing business. It has given communities the policy platform to address lingering issues. She mentioned the water transfer from Imperial Irrigation District as a case where tough water issues remain to be resolved, as over 50 communities in the Imperial Valley cannot use groundwater now.

Martha stressed that some of the most poorly prepared grant applications are the ones that represent the greatest need – so look for the need and opportunity, not the grammar, spelling, and organization. Greater clarity is needed in methods that the agencies will use to prioritize funds and other resources to insure progress.

Patrick Wright offered that the CalFED program is just beginning to address environmental justice and does not yet have many suggestions for others. Much will be learned and reported now that the Environmental Justice Subcommittee is working.

The meeting adjourned at 3:40.